

John van Loben Sels (State Bar No. 201354)
WANG, HARTMANN, GIBBS & CAULEY, P.L.C.
2570 W. El Camino Real, Suite 440
Mountain View, California 94040
johnvanlobensels@whgclaw.com
Telephone: (650) 209-1230
Facsimile: (650) 209-1231

Peter A. Sullivan (New York State Bar No. 2563039)
Ronald Abramson (New York State Bar No. 1457126)
HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, New York 10004
sullivan@hugheshubbard.com
Telephone: (212) 837-6000
Facsimile: (212) 422-4726

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

**GABRIEL TECHNOLOGIES
CORPORATION and TRACE
TECHNOLOGIES, LLC,**

Plaintiffs,

vs.

**QUALCOMM INCORPORATED,
SNAPTRACK, INC., and NORMAN
KRASNER,**

Defendants.

CIVIL ACTION NO. 3:08-cv-01992-AJB-MDD

**PLAINTIFFS' MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT OF
THEIR MOTION TO FILE CERTAIN
DOCUMENTS UNDER SEAL**

PROCEDURAL BACKGROUND

Plaintiffs refer the Court to Defendants' Memorandum of Points and Authorities in Support of Motion for an Order to Submit Certain Documents Under Seal (Doc. No. 277) and the Court's July 16, 2012 Order granting that motion (Doc. No. 280). Briefly, the Court's Protective Order of April 21, 2010 (Doc. No. 67) generally prohibits the disclosure of confidential materials and provides that a party who wishes to file confidential information under seal must first seek permission from the Court under Civil Local Rule 79.2.

ARGUMENT

Plaintiffs move to file under seal the following documents:

- 1) Plaintiffs' Memorandum of Points and Authorities in Support of Plaintiffs' Motion to Exclude Opinion Testimony of Apostolos K. Kakaes, Ph.D. ("Plaintiffs' Brief");
- 2) Declaration of Ronald Abramson in Support of Plaintiffs' Motion to Exclude Opinion Testimony of Apostolos K. Kakaes, Ph.D. ("RA Dec."); and
- 3) Declaration of Anant Sahai in Support of Plaintiffs' Motion to Exclude Opinion Testimony of Apostolos K. Kakaes, Ph.D. ("Sahai Dec.")

Plaintiffs' Brief, the RA Dec. and the Sahai Dec. and their exhibits contain information contemplated by the Court's July 16, 2012 Order, which is confidential to the Parties.

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1 **CONCLUSION**

2 For the foregoing reasons, Plaintiffs respectfully request that the Court issue an order
3 permitting Plaintiffs to file under seal Plaintiffs' Brief, the RA Dec., and the Sahai Dec along
4 with their accompanying exhibits.

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9 Dated: August 10, 2012

10 Respectfully submitted,

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12 By: /s/ John van Loben Sels

13 John van Loben Sels

14 State Bar No. 201354

15 **WANG, HARTMANN, GIBBS & CAULEY, P.L.C.**

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25 One Battery Park Plaza

26 New York, NY 10004

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COUNSEL FOR PLAINTIFFS GABRIEL

TECHNOLOGIES CORPORATION AND

TRACE TECHNOLOGIES, LLC